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OF NEW YORK, INC.**

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March 29, 2020

BY ECF AND EMAIL

Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

**Re: United States v. Bryant Brown,
20 Cr. 12 (PAE)**

Dear Judge Engelmayer:

We write to inform the Court that we believe our client, Bryant Brown, has contracted the coronavirus at MCC New York. He was placed into quarantine yesterday after he developed symptoms of COVID-19, including a cough and body aches. We understand that he also has a fever, but MCC has informed AUSA Bagliebter that, as of yesterday, his temperature was below 100.4 °F. (AUSA Bagliebter reached out to MCC at our request. We emailed MCC counsel Nicole McFarland today with a HIPAA release for Mr. Brown asking for information and records, but have not yet received any response.)

As Your Honor no doubt knows, COVID-19 is a dangerous disease that can become very serious very quickly, even in younger individuals like Mr. Brown. Data from the Centers for Disease Control and Prevention ("CDC") show that nearly 40% of patients hospitalized from coronavirus were 20 to 54 years old.¹ We are concerned about MCC's ability to care for Mr. Brown, given its track record over the years with other clients under less trying circumstances. MCC is now significantly understaffed and ill equipped to deal with the pandemic.² We understand that quarantine at MCC means

¹ *Younger Adults Make Up Big Portion of Coronavirus Hospitalizations in U.S.*, The New York Times (Mar. 20, 2020), at <https://www.nytimes.com/2020/03/18/health/coronavirus-young-people.html>.

² *See Federal prison workers say conflicting orders on coronavirus response is putting lives at risk*, CBS News (Mar. 19, 2020) at <https://cbsn.ws/2WNBRLv>.

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confinement in the Special Housing Unit, not at a hospital or even a jail medical unit.

Therefore we ask this Court to issue an order to MCC and the U.S. Marshals Service requiring that Mr. Brown be tested immediately for the coronavirus and that he be provided with the care recommended by the Centers for Disease Control and Prevention (“CDC”) for suspected and confirmed cases: specifically, that he be kept warm and hydrated, that he be given over-the-counter medications for symptom relief, and that he be taken to a hospital immediately if he develops trouble breathing, persistent pain or pressure in the chest, confusion or an inability to arouse, or bluish lips and face.³

In order to ensure that Mr. Brown is receiving adequate care, we ask the Court to further order MCC and/or the Marshals to provide daily updates on Mr. Brown’s condition and treatment to the Court and to counsel and to provide Mr. Brown with legal calls at least twice per week so that counsel can verify Mr. Brown’s condition and the treatment he is receiving with Mr. Brown personally.

If MCC fails to provide adequate care for Mr. Brown, we will move this Court for his temporary release pursuant to 18 U.S.C. § 3142(i).

Respectfully submitted,

/s/

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cc: AUSAs Jamie Bagliebter and Mary Bracewell

³ See *Caring for someone at home*, CDC (March 29, 2020) at <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/index.html>